

1 HONORABLE RICHARD A. JONES  
2  
3  
4  
5  
6

7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 METROPOLITAN LIFE INSURANCE  
11 COMPANY,

12 Plaintiff,

13 v.

14 TRAN NGUYEN, et al.,

15 Defendants.

CASE NO. C12-1707RAJ

ORDER

16 This matter comes before the court to determine the final disposition of funds in  
17 this interpleader action. The court has already distributed \$110,000 of the \$115,471.23  
18 that the Plaintiff, Metropolitan Life Insurance Company (“MetLife”), deposited into the  
registry of the court.

19 On September 19, 2013, the court issued an order (Dkt. # 26) noting that it had  
20 received a request for attorney fees from the attorneys who represented the Trust that is  
21 the primary beneficiary of the life insurance proceeds at the center of this case. The court  
22 permitted Joseph Vu, the current trustee, to file objections to the requested award. Mr.  
23 Vu filed objections, requesting that the court award the attorneys no fees.

24 The court has reviewed Mr. Vu’s objections but does not find them compelling.  
25 As the court noted in its September order, the evidence before the court (including  
26 evidence the court heard at an August 27, 2013 hearing) suggested that these attorneys  
27 played an important role both in protecting the Trust and in resolving disputes among Mr.  
28

ORDER – 1

1 Vu and the previous trustee. Without their assistance, it would likely have been  
2 necessary to conduct expensive proceedings to determine the proper disposition of  
3 insurance benefits. Mr. Vu does not share the same view of the attorneys' role, but the  
4 evidence does not support his view. The record reflects that it was Mr. Vu's opposition  
5 to the attorneys' work that made the distribution of funds to the Trust more difficult than  
6 necessary, and frustrated MetLife's attempts to quickly distribute the life insurance  
7 proceeds. The court notes that the previous trustee explained at the August 27 hearing  
8 that the attorneys had agreed to forego payment for their work. Mr. Vu now seizes upon  
9 this generosity as another reason to deny their request for fees. The court does not fault  
10 the attorneys for agreeing to forego payment from the original trustees, nor does it fault  
11 them for making a modest request for fees now that the Trust has received payment.

12 The court orders as follows:

- 13 1) The clerk shall issue a check for \$3,000 to Wall and Associates, PS, at the  
14 following address: 51 West Dayton Street, Edmonds, Washington, 98020.  
15 2) The clerk shall issue a check for all remaining proceeds of the registry deposit  
16 (plus interest, minus any fees or costs) to the Vien-Dung Thi Nguyen Trust.

17 The clerk shall mail that check to the following address:

18 Joseph Vu, Trustee of Vien-Dung Thi Nguyen Trust  
19 20407 22nd Ave W  
Lynnwood, WA 98036

20 DATED this 4th day of April, 2014.

21  
22  
23  
24  
25  
26  
27  
28



The Honorable Richard A. Jones  
United States District Court Judge